

JAN 24 2019

A BILL FOR AN ACT

RELATING TO TAXATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-16.8, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Each county that has not established a surcharge on
4 state tax prior to July 1, 2015, may establish the surcharge at
5 the rates enumerated in sections 237-8.6 and 238-2.6. A county
6 electing to establish this surcharge shall do so by ordinance;
7 provided that:

8 (1) No ordinance shall be adopted until the county has
9 conducted a public hearing on the proposed ordinance;

10 (2) The ordinance shall be adopted prior to March 31,
11 ~~[2019-]~~ 2021; and

12 (3) No county surcharge on state tax that may be
13 authorized under this subsection shall be levied prior
14 to January 1, 2019, or after December 31, 2030.

15 A county electing to exercise the authority granted under
16 this subsection shall notify the director of taxation within ten
17 days after the county has adopted a surcharge on state tax



1 ordinance. Beginning on January 1, 2019, [~~or~~] January 1, 2020,
2 or January 1, 2022, as applicable pursuant to sections 237-8.6
3 and 238-2.6, the director of taxation shall levy, assess,
4 collect, and otherwise administer the county surcharge on state
5 tax."

6 SECTION 2. Section 237-8.6, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) Each county surcharge on state tax that may be
9 adopted or extended pursuant to section 46-16.8 shall be levied
10 beginning in a taxable year after the adoption of the relevant
11 county ordinance; provided that no surcharge on state tax may be
12 levied:

13 (1) Prior to:

14 (A) January 1, 2007, if the county surcharge on state
15 tax was established by an ordinance adopted prior
16 to December 31, 2005;

17 (B) January 1, 2019, if the county surcharge on state
18 tax was established by the adoption of an
19 ordinance after June 30, 2015, but prior to
20 June 30, 2018; [~~or~~]



- 1 (C) January 1, 2020, if the county surcharge on state
- 2 tax was established by the adoption of an
- 3 ordinance on or after June 30, 2018, but prior to
- 4 March 31, 2019; [~~and~~] or
- 5 (D) January 1, 2022, if the county surcharge on state
- 6 tax was established by the adoption of an
- 7 ordinance on or after March 31, 2019, but prior
- 8 to March 31, 2021; and
- 9 (2) After December 31, 2030."

10 SECTION 3. Section 238-2.6, Hawaii Revised Statutes, is
 11 amended by amending subsection (b) to read as follows:

12 "(b) Each county surcharge on state tax that may be
 13 adopted or extended shall be levied beginning in a taxable year
 14 after the adoption of the relevant county ordinance; provided
 15 that no surcharge on state tax may be levied:

- 16 (1) Prior to:
 - 17 (A) January 1, 2007, if the county surcharge on state
 - 18 tax was established by an ordinance adopted prior
 - 19 to December 31, 2005;
 - 20 (B) January 1, 2019, if the county surcharge on state
 - 21 tax was established by the adoption of an



1 ordinance after June 30, 2015, but prior to
 2 June 30, 2018; [~~or~~]
 3 (C) January 1, 2020, if the county surcharge on state
 4 tax was established by the adoption of an
 5 ordinance on or after June 30, 2018, but prior to
 6 March 31, 2019; [~~and~~] or
 7 (D) January 1, 2022, if the county surcharge on state
 8 tax was established by the adoption of an
 9 ordinance on or after March 31, 2019, but prior
 10 to March 31, 2021; and
 11 (2) After December 31, 2030."

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 1433

Report Title:

County Surcharge on State Tax; General Excise Tax; Extension

Description:

Extends the period in which a county may adopt an ordinance to establish a surcharge on state tax, under certain conditions, from 3/31/2019 to 3/31/2021.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

